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ODP- 0 -1237

16 SEP 1980

MEMORANDUM FOR:

STATINTL

Chief, Regulations Control Division  
Office of Information Services

FROM

:

Chief, Management Staff, ODP

SUBJECT:

Proposed HN [REDACTED] Experimental Flexible and  
Compressed Work Schedule, DRAFT A (Job #9335)

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The Office of Data Processing has reviewed the subject draft and, except for noting its extraordinary length for a Headquarters Notice, has no comment or objection to offer regarding its publication.

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*EEB: GS : jg 16 Sep 80*

TRANSMITTAL SLIP		DATE
TO: <b>ODP</b>		
ROOM NO. <b>2000</b>	BUILDING <b>H/S</b>	
REMARKS: <p><i>EC 60</i></p> <p><i>action</i></p> <p><i>CMS - Dec. 24 Oct-80</i></p>		
FROM:		
ROOM NO.	BUILDING	EXTENSION

FORM NO. 241  
1 FEB 55

REPLACES FORM 36-8  
WHICH MAY BE USED.

(47)

8 September 1980

MEMORANDUM FOR: Deputy Director for National Foreign Assessment  
Deputy Director for Science and Technology  
Deputy Director for Operations  
Comptroller  
General Counsel  
Legislative Counsel  
Inspector General

STATINTL

FROM:

Chief, Regulations Control Division  
Office of Information Services

STATINTL

SUBJECT: Proposed HN [REDACTED], Experimental Flexible and Compressed  
Work Schedules, DRAFT A (Job #9335)

FOR YOUR INFORMATION:

1. The attached proposal was initiated by the Office of Personnel Policy, Planning, and Management. It announces a modification in the Agency's previous policy concerning experimental flexible and compressed work schedules.

2. Priority handling on this headquarters notice would be appreciated. We plan to send the proposal forward for the approval of the Deputy Director of Central Intelligence on 29 September 1980. If you have any questions or comments, please contact [REDACTED] extension 6758, before that date.

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## Attachments:

- A. Concurrence Sheet (OGC)
- B. Proposed HN [REDACTED]

cc: AO/DCI            OC  
AO/RMS-CTS        ODP  
SSA/DDA            OL  
D/IS                OMS  
OPPPM              OS  
OF                  OTR

**PRIORITY**

This Notice Expires 1 March 1981

PERSONNEL

EXPERIMENTAL FLEXIBLE AND COMPRESSED WORK SCHEDULES

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Rescission: HN [REDACTED] dated 3 October 1979

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1. GENERAL. This notice modifies the Agency's previous policy regarding experimental flexible and compressed work schedules.

2. BACKGROUND

a. The Federal Employees Flexible and Compressed Work Schedules Act of 1978 (Public Law 95-390) permitted Federal agencies to experiment with alternative work schedules and to waive certain overtime requirements contained in both Title 5 U.S.C. and the Fair Labor Standards Act (FLSA). The Federal Employees Flexible and Compressed Work Schedules Act also made the Office of Personnel Management (OPM) responsible for defining the information needed to evaluate experiments with alternative work schedules and required agencies to report the results of their experiments to OPM.

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b. Since October 1979, when HN [REDACTED] was approved authorizing the Agency to experiment with alternative work schedules within a framework of 40 hours a week, OPM has published their reporting requirements. A review of the requirements revealed they would not compromise Agency security. Consequently, a request was made and approved by OPM permitting

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the Agency to participate under the Federal Employees Flexible and Compressed Work Schedules Act of 1978.

c. Many components are currently experimenting with a variety of alternative work schedules. Some components have expressed a desire to establish experimental work schedules requiring a framework of 80 hours in a pay period (e.g., 5/4-9), rather than the 40-hour workweek. The Agency will establish experimental work schedules using a framework of 80 hours in a pay period in addition to the 40-hour workweek.

### 3. POLICY

a. The Agency will expand its experimental program of flexible and compressed work schedules and conduct an experimental program on an Agency-wide basis under the Federal Employees Flexible and Compressed Work Schedules Act of 1978.

b. Agency managers are encouraged to conduct experiments with flexible and compressed work schedules where their application is expected to benefit both the Agency and its employees.

c. Whenever alternative work schedules are determined to be feasible, employees are encouraged to participate on a voluntary basis.

### 4. RESPONSIBILITIES

a. Operating Officials and Heads of Independent Offices will:

(1) Establish essential duty hours with minimum staffing requirements in experimenting components and develop schedules for providing such coverage.

(2) Propose alternative work schedules for their components on an experimental basis for a defined period of time, to be approved by the Director of Personnel Policy, Planning, and Management (D/PPPM).

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Such schedules will have the concurrence of the Deputy Director concerned before being forwarded to D/PPPM through the Director of Finance, who will assure compatibility with the automated payroll system.

(3) Monitor the overall effectiveness of approved work experiments they have proposed and submit assessment reports to the D/PPPM upon completion of the experimental period. Experimental alternative work schedules may be continued if they are deemed successful by the experimenting office. This can be accomplished by submitting an assessment report and requesting a specific time period for the extension.

b. The D/PPPM will:

(1) Advise and assist Operating Officials and Heads of Independent Offices in establishing and administering alternative work schedules on an experimental basis.

(2) Analyze assessment reports received from experimenting offices in terms of the effectiveness of alternative work schedules in accomplishing stated objectives.

(3) Conduct a final assessment of the alternative work schedules program and recommend to the Deputy Director of Central Intelligence its continuance, modification, or termination.

## 5. DEFINITIONS

### a. GENERAL

(1) Basic work requirement means the number of hours, excluding overtime, an employee is required to work or is required to account for by leave or otherwise.

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(2) Credit hours mean any hours, within a flexible schedule, in excess of an employee's basic work requirement that the employee elects to work so as to vary the length of a workweek or a workday.

(3) Overtime hours mean all hours in excess of 40 in a workweek for employees at GS-11 and below and in excess of 48 in a workweek for employees GS-12 through GS-15 that are officially ordered in advance, but do not include credit hours.

(4) Compressed schedule means an 80-hour biweekly basic work requirement scheduled for less than 10 workdays.

b. OTHER DEFINITIONS

(1) Core time means those designated hours and days during the biweekly pay period when an employee on a flexible schedule must be present for work.

(2) Flexible time means that part of the schedule of working hours during which employees may choose their time of arrival at and departure from the work site, within limits consistent with the duties and requirements of the position. To the extent permitted, credit hours may be accumulated to reduce the length of a workweek or a biweekly pay period.

(3) Flexitime means a system of work scheduling that splits the workday into two distinct kinds of time--core time and flexible time. The two requirements under any flexitime schedule are:

(a) The employee must be at work during core time.

(b) The employee must account for the total number of hours he or she is scheduled to work.

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(4) Flexitour means a flexible schedule in which an employee, having once selected starting and stopping times within the flexible time bands, continues to adhere to these times. Further opportunities to select different starting and stopping times subsequently may be provided by the component.

(5) Gliding schedule means a flexible schedule in which an employee has a basic work requirement of eight hours in each day and 40 hours in each week and may select an arrival time each day and may change that arrival time daily as long as it is within the established flexible time band.

(6) Variable day schedule means a flexible schedule containing core time for each workday in the week and in which an employee has a basic work requirement of 40 hours in each week of the biweekly pay period, but one in which an employee may vary the number of hours worked on a given workday within the week, within the limits established by the component.

(7) Variable week schedule means a flexible schedule containing core time for each workday in the biweekly pay period and in which an employee has a basic work requirement of 80 hours for the biweekly pay period, but one in which an employee may vary the number of hours worked on a given workday or the number of hours each week, within the limits established by the component.



(8) Maxiflex schedule means a flexible schedule containing core time bands on fewer than 10 workdays in the biweekly pay period and in which an employee has a basic work requirement of 80 hours for the biweekly pay period, but one in which an employee may vary the number of hours worked on a given workday or the number of hours each week, within the limits established by the component.

may  
work  
less than  
10 days

(9) Biweekly pay period means the two-week period for which an employee is scheduled to perform work.

#### 6. FLEXIBLE WORK SCHEDULES

##### a. THE TOUR OF DUTY: CORE TIME BANDS AND FLEXIBLE TIME BANDS

(1) The tour of duty is comprised of all hours and days for which core time bands and flexible time bands have been designated, including those days within a maxiflex schedule for which only flexible hours are scheduled.

(2) Since the types of flexible schedules available for use vary significantly, a component should tailor the schedule to meet its needs. Normally, this will be accomplished by the way core time bands and flexible time bands are structured.

##### b. GUIDELINES, GROUND RULES, AND LIMITATIONS ON FLEXIBLE SCHEDULES

In addition to determining the general parameters of the flexitime program, the component also may establish additional guidelines, ground rules, and limitations. Such published guidelines, ground rules, and limitations would comprise an important part of the experimental program; thus, supervisor and employee understanding of them is vital to its success. In formulating policy on the following matters, a component should decide whether or not to:

(1) Exclude certain employees from an experimental program because of the nature of their positions or because of unusual demands on certain elements of the component.

(2) Require employees covered by experimental schedules to work specific hours during flexible time bands on a temporary or irregular basis.

(3) Permit employees freedom to choose starting and stopping times within the tour of duty established, with or without prior approval of a supervisor; require an employee to select from one of several predetermined tours; or require an employee to submit a schedule in advance for approval.

(4) Allow employees to leave the workplace during a flexible time band after they have arrived at work, either with or without prior notification and approval of the supervisor.

(5) Require an employee to inform the supervisor, in advance, of intent to earn or apply credit hours to his or her basic work requirement.

(6) Permit an employee to apply credit hours to core time bands on an irregular or occasional basis with a supervisor's prior approval, although such hours would normally be applied only to flexible time bands.

NOTE: Components will not schedule employees for lunch periods in excess of one hour or establish split shifts that require the employee to stop work in excess of one hour before recommencing the workday.

## c. CREDIT HOURS

(1) Credit hours may be worked only by employees on flexible schedules. Credit hours are hours in excess of the basic work requirement but within the tour of duty.

(2) Credit hours are hours of work performed at the employee's option; they are distinguished from overtime hours in that they do not constitute overtime work officially ordered in advance by management.

(3) An employee has the right to use earned credit hours, subject to the component's approval of the time at which they may be used.

(4) Credit hours are to be counted as a part of the basic work requirement to which they are applied. An employee is entitled to his or her basic rate of pay for credit hours.

(5) There is no limit on the number of credit hours that may be accumulated during the biweekly pay period (unless restricted by the component). However, the number of credit hours employees may carry over from biweekly pay period to biweekly pay period is limited to 10 hours. The component may limit the time frame within which employees may use credit hours (e.g., within the next four pay periods).

## d. OVERTIME

(1) For employees on flexible schedules, overtime hours are all hours in excess of 40 in a workweek for employees at GS-11 and below and in excess of 48 in a workweek for employees GS-12 through GS-15 that are officially ordered in advance by management and are in addition

to completion of the weekly or biweekly work requirement. Employees must be properly compensated for hours in excess of those stated above in the form of overtime pay when ordered by management or in the form of credit hours when worked at the option of the employee.

(2) This requirement that overtime hours be officially ordered in advance also applies to nonexempt employees under the FLSA.

(3) An employee who is covered by a flexible schedule that permits him or her to vary the length of the workday (i.e., variable day, variable week, and maxiflex schedules) may be ordered by management to work hours in excess of the number of hours the employee planned to work on a specific day. If the hours ordered to be worked are not in excess of 40 in a week at the time they are performed, the employee may:

(a) Take off from work on a subsequent workday for a period of time equal to the number of extra hours of work ordered.

(b) Complete his or her basic work requirement as scheduled, and the extra hours may be counted as credit hours.

(c) Complete his or her basic work requirement as scheduled; and as Agency policy permits, the resulting hours worked beyond the employee's basic work requirement may be compensated as overtime hours.

e. SICK AND ANNUAL LEAVE

(1) For employees on flexible schedules, time off from work during a core time band must be charged to the appropriate leave category unless a specific deviation is authorized (see paragraph 6b(6) above).

Additionally, time off during an employee's basic work requirement must be charged to the appropriate leave category, credit hours, or compensatory time off. An employee may choose to charge time off during a flexible time band to an appropriate leave category; however, there is no requirement that individuals use the flexible time bands for medical or dental appointments or other personal matters in lieu of sick or annual leave. These appointments, as well as personal time off, may continue to be scheduled any time within the entire flexible schedule if an employee wishes to charge this time to leave. However, an employee may use credit hours in lieu of sick or annual leave in order to preserve such leave when the time off is scheduled within his or her flexible time bands or he or she is authorized a specific deviation.

(2) The maximum amount of sick or annual leave that an employee on a flexible schedule may apply to his or her basic work requirement for any given day is the number of hours the employee is scheduled to work on that day. In components where employees are not required to schedule their work hours for a given day in advance, the maximum amount of sick or annual leave should be determined using the following method:

(a) Constant Pattern of Arrival. The majority of employees tend to arrive within 5 to 10 minutes of the same time each day, once a pattern has been established. Therefore, the constant arrival time or pattern that has been established should be used

as a reference point. For example, if an employee has maintained a virtually constant pattern of arrival at 7:30 a.m., this will become the reference point for that employee.

(b) Predominant Pattern of Arrival. If an employee maintains a schedule in which one particular arrival time dominates (e.g., the employee arrives at 7:30 a.m. on four out of five days), this arrival time should be used in determining the amount of excused absence to be granted.

(c) Variable Pattern of Arrival. Where there is such variation in an employee's arrival time that there is no discernible pattern, the mathematical average of the employee's arrival time for the previous two-week period should be computed and this average arrival time used as a reference point for determining excused absence.

## 7. COMPRESSED WORK SCHEDULES

a. Compressed work schedules have a basic work requirement of 80 hours in a biweekly pay period for a full-time employee. For the purpose of compressed work schedules, the tour of duty is defined by (i.e., is identical with) the particular schedule a component chooses to establish. For all compressed schedules, the tour of duty is arranged in such a way that employees on these schedules fulfill their basic work requirement in less than 10 days during the biweekly pay period.

b. For compressed schedules, the term "overtime hours" means any hours in excess of those specified hours that constitute the compressed

schedule and are in excess of 40 in a workweek for employees at GS-11 and below or in excess of 48 for employees at GS-12 and above.

c. An employee will be given the opportunity to request exclusion from a compressed work schedule if it will impose a personal hardship.

8. DATA COLLECTION REQUIREMENTS. To be of most use to Agency managers, many of the effects of flexible and compressed work schedules need to be measured at the level of the work unit. An evaluation is required of the effects of alternative work schedules on six specific areas of impact:

- The efficiency of Government operations.
- Mass transit facilities and traffic.
- Levels of energy consumption.
- Service to the public.
- Increased opportunities for full-time and part-time employment.
- Individuals and families generally.

More detail concerning the format and scope of the required narrative report will be included with the approval of an alternative work schedule.

#### 9. ADDITIONAL INFORMATION

a. The criteria and guidelines for establishing and administering flexible and compressed work schedules are on file in the Position Management and Compensation Division (PMCD) of the Office of Personnel Policy, Planning, and Management. Personnel desiring information concerning flexible and compressed work schedules should contact PMCD on extension 2851.

b. When planning revised schedules, Agency managers should consider that a lack of resources precludes extension of such support services as the motor pool, pneumatic tube, and mail and courier delivery. Further, there is no provision at this time for extension of cafeteria hours or for adjustment by the General Services Administration of building maintenance and utility support.

Frank C. Carlucci  
Deputy Director of Central Intelligence

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